

Appl. No. 10/591493
Amdt. Dated October 31, 2008
Reply to Office action of June 18, 2008

REMARKS

By this Reply, Applicants have cancelled claims 7, 12, and 16-32. Applicants confirm the election of the group I invention and that the election was made without traverse. Claims 1-6, 8-11, 13-15 and 33-49 are part of group I as currently amended. Applicants reserve the right to prosecute claims directed to the subject matter of unelected claims 16 – 27 in a subsequently filed divisional application.

As requested by the Examiner, Applicants have attached a new Abstract that “sufficiently assists readers in deciding whether there is a need for consulting the full patent text for details” in less than 150 words. The abstract as amended contains 149 words.

In regard to the Examiner’s objections to the specification, Applicants have included a replacement specification that obviates all of the Examiner’s objections. No new matter has been added.

Applicants have amended the attached drawings to correct mistakes in certain reference numbers and to include the designation of “Prior Art” in FIG. 15 as required by M.P.E.P. §608.02(g).

Applicants respectfully request reconsideration of the Examiner’s rejection of claims 1 – 11, 13 – 15, and 28 - 31 under 35 U.S.C. §102(b). The Examiner has rejected these claims in view of the cited reference of *Cudaback et al.* (U.S. Patent No. 4,708,171). *Cudaback* discloses a valve movable between an open and closed position, and which allows for the passage of air into a vacuumized vessel in a combustion engine in order to break a vacuum within the vessel and includes a separate passage for draining liquid from the vessel when the valve is in its open position (See the Abstract of the invention and Col. 1, lines 9 - 10).

Appl. No. 10/591493
Am dt. Dated October 31, 2008
Reply to Office action of June 18, 2008

Cudaback does not disclose what is required of all of the claims as amended, namely, a mounting sleeve having a longitudinal axis transverse to the first and second liquid conduits of the valve body. Additionally, the currently amended claims require a valve element inserted coaxially within the mounting sleeve and thus also transverse to the first and second liquid conduits. For at least these reasons, Applicants submit *Cudaback* fails to anticipate the claims, and, therefore, Applicants respectfully request a withdrawal of this rejection.

The Examiner has also rejected claims 32-49 under 35 U.S.C. 103(a) in view of *Cudaback*. The Examiner has failed to present a *prima facie* case of obviousness. *Cudaback* does not disclose a mounting sleeve having a longitudinal axis transverse to the first and second liquid conduits of the valve body or a valve element inserted coaxially within the mounting sleeve and thus also transverse to the first and second liquid conduits. Accordingly, Applicants respectfully request a withdrawal of this rejection under 35 U.S.C. 103(a).

The Examiner has also rejected claims 1-4 under 35 U.S.C. 102(e) as being anticipated by *Miller* (U.S. Patent No. 6,533,935). *Miller* discloses a drain valve (102) for a fuel filter. The drain valve (102) has a housing (104), and actuator member (128) mounted within the housing for rotational movement by a handle (176) (FIG. 2). The actuator member (128) has a vent passage (140) and a drain passage (158) that are rotated into and out of alignment respectively with a second conduit (100) and a first conduit (98) of a housing (72) of a fuel filter water separator (70). *Miller* does not disclose a valve member that is mounted for both rotational movement about an axis and reciprocating motion along the axis. Accordingly, *Miller* does not anticipate or render claims 1-4 obvious.

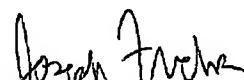
Appl. No. 10/591493
Amdt. Dated October 31, 2008
Reply to Office action of June 18, 2008

The Examiner's remaining references cited but not relied upon, considered either alone or in combination, also fail to teach applicant's currently claimed invention. In light of the foregoing, Applicants respectfully submit that all claims now stand in condition for allowance.

In the event that it is deemed necessary, the Commissioner is hereby authorized to charge any fees due or to credit any overpayment to Deposit Account No. 50-3891.

Respectfully submitted,

Date: 10/31/08



(Reg. #34,604)

Joseph A. Fuchs
ROCKEY, DEPKE & LYONS, LLC
Sears Tower, Suite 5450
Chicago, Illinois 60606-6306
Tel: (312) 277-2006
Attorneys for Applicant